

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 18, 1953  
10:00 AM

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

## Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by DR. JOHN BARCLAY.

Councilman Pearson moved that the Minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden  
Noes: None  
Present but not voting: Councilman Long

Lieutenants BOB MILES and ED GARRISON introduced six Police recruits: MESSRS. DONALD ADAMS, DWAIN ARNOLD, BENJAMINE P. BISHOP, ALTON HILL, JR., ROBERT E. PARSONS, and THELBERT F. WITHERS.

MR. ED LOREY appeared in the interest of the Fire prevention ordinance; also Mr. ROY LANE. They were anxious to know when it would be heard, and asked that publicity be given. Councilman Pearson moved that a public hearing on the Fire Extinguisher Ordinance be set for July 2nd, 1953. The motion, seconded by Councilman Long carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor brought up the subject of pay increases for City employees. He submitted his proposal, in writing to the Council as follows:

"One of the most pressing problems facing our body has been the matter of salaries and wages paid our city employees. No one has questioned that our municipal workers are receiving less pay for comparable work than employees in other Texas cities, and indeed, employees of other Austin firms. Our community services can only be as strong as the caliber of our representatives who work for the city and I know that the rest of the City Council join me in pledging ourselves to the goal of adequate pay for our city employees.

"With this thought in mind, I have talked to our administrative staff with in the past several days, trying to arrive at a solution to the problem. All of you have copies of a memorandum sent to the City Council on May 11 in which he discussed our budget situation. Careful reading of this memorandum, studying of our financial reports, and talking with our City Manager has given me the firm conviction that our current operating budget is being stretched to the limit, and any attempt to squeeze substantial sums out of the present budget would be fruitless. The City has a very little sum set aside for unforeseen expenditures and unfortunately, these unforeseen expenditures deep arising. It is obvious to me that additional revenue is going to be needed if pay increases are granted city employees. This revenue increase must be enough to provide for a moderate pay increase which I would propose as follows:

"(1) Our fire and police employees, well below the scale in other large Texas cities, should be increased a flat \$30 per month. This increase ranges from about 9% on the higher paid officers to 14% on beginning firemen and policemen. Working hours of these two departments would not be affected.

"A \$30 increase to our fire and police employees would place them well within the average pay received by these employees throughout the larger Texas cities. Austin's effective base would then be \$280 rather than \$250 as at present. I propose that the beginning pay remain at \$220 in both these departments, but that the initial increments be stepped up as follows: recruits would be increased to \$250 immediately upon completion of their six weeks training course, would go to \$265 after six months, and to \$280 after twelve months employment. Thus, the maximum pay for patrolmen and hosemen and ladder men would then be \$330 after 25 years service instead of the present \$300.

"(2) Our other employees should be increased by raising the base pay level of our evaluation plan 10% and reducing hours of work from 48, 45, and 44 to 40 hours per week. Our City Manager has assured me that this approach will be in harmony with our overall evaluation program and will not disrupt such program in any way. The proposed reduction in work week would involve no cash outlay, but would give our employees reductions of from 9% to 16% in their work week, while retaining their present "take-home" pay.

"A tabulation of work weeks in the larger Texas cities is enclosed. You will note that Houston, Fort Worth, Corpus Christi, Beaumont and Port Arthur are already on a 40 hour week for most or all of their employees. Similarly, in our own city, the federal government, the state government (effective September 1), LCRA, telephone company, and many other business firms maintain a 40 hour week,

"It is believed that 40 hour week will better our place in the competitive labor market and satisfy our employees who desire more time with their families.

"Generally speaking, I believe the City will lose little production by changing to a 40 hour week. I would not propose that any persons be hired in those jobs now calling for 44 or 45 hours per week, but rather, I believe that the shorter work day will enable each employee to do a better day's work. The present 9 hour day is especially fatiguing to our clerical employees and during the hot summer, saps the energy of our construction forces also to the point that they could be just as effective for 8 hours per day as for 9.

"Some 50 additional personnel will be necessary to relieve for 48 hour personnel. These employees would work in the hospital, power plant, filter and sewage treatment plants, and other departments requiring 24 hour services. The 50 additional persons would include some 35 needed to maintain essential hospital services, 2 in other general government functions, and 13 in our utility departments.

"Cost of the above would be:

	Annual
350 firemen and policemen @ \$30 month	\$ 126,000
Employ 50 persons to maintain 24 hour services	<u>142,000</u>
<b>TOTAL ANNUAL COST</b>	<b>\$ 268,000</b>

"I propose that the \$268,000 be met in the major part by eliminating the cash discount now applicable to commercial and domestic electric customers who pay their electric bills within 15 days. Approximately \$250,000 of additional revenue will accrue from this source. The remainder must come from a "tightening of our budget belt". As I have stated earlier, I believe small budget cuts can be made and if the proposed pay increases are adopted, it will be an absolute necessity to eliminate unnecessary expenditures and use every available means to raise our production standards still higher.

"In closing, there is a final matter I want to discuss with the Council. At the present time there is a practice in some of our city departments which is not to the best interests of the City. Employees are devoting much time to secondary occupations, sometimes depriving private businesses and individuals in Austin from legitimate earnings. With the proposed pay increase, I believe these city employees should begin to consider seriously their outside activities with the possible viewpoint of curtailing such activities. I would like to work steadily toward a goal which would result in none of our city employees in any departments doing outside contractual work. (Accompanying tabulations on file in City Clerk's Office under EMPLOYEES.)

Later on in the meeting Councilman Long submitted the following:

"1. To instruct the manager to report to the council, in tabular form by departments and divisions the following:

1. List of jobs now vacant with salaries of each job.
2. Total amount expended to June 1 for salaries from appropriations for personal services.
3. Amount diverted by manager from personal services appropriation items to other purposes, and list of amounts diverted and purpose for which it was spent.
4. Percentage of total appropriation for the year in department or division for personal services expended to June 1.

"2. To transfer immediately, into a special reserve for salary increased,

the following cash funds:

1. The \$38,000 collected for sale of veterans housing, and the amount collected or to be collected from sale of Negro Veterans housing.
2. The \$50,000 excess in the appropriation for refunds to subdividers.

"3. To prepare an ordinance to amend the budget on Page 10, estimated revenue from the hospital, to read \$625,450 instead of \$575,450. To transfer this \$50,000 of anticipated revenue to the reserve for salary increases created in Item 2.

"4. To instruct the Manager to have bills sent on delinquent hospital accounts totalling \$628,000, and to assign one of the present hospital personnel to full-time work collecting accounts. The auditor estimates that at least \$50,000 of the delinquent accounts are collectible, perhaps more with hard work.

"5. To instruct Manager to have notices mailed to all persons owing delinquent taxes. On Jan. 1, there was \$1536,020 owed in delinquent taxes, and more taxes have gone delinquent since that time. The auditor considers the greatest part of these tax resources collectible, and it is not fair to raise taxes on those who pay because some don't or won't pay.

"6. To instruct Manager to have the department heads involved in the delinquent accounts totalling \$79,496 on Page XVIII of audit to assign one member of present personnel to collect those accounts. This includes delinquent bills at the abattoir, cemetery, airport, paving, rodent control, central stores and \$23,396 worth of "miscellaneous" delinquent accounts.

"7. To instruct the Manager to put into effect the recommendations of the Auditor on Page XVI of his report with regard to delinquent water and light bills. With \$170,000 in delinquent accounts, and more than 5000 accounts where the deposit hasn't been applied to the final bill, we again have the proposal to raise rates on those who pay to make up for those whodon't. To instruct the manager to have one or more of the present personnel of the water & light office assigned to collecting these bills.

"8. To instruct the Manager not to fill any jobs now vacant, until the Council has had time to review the list of vacancies, hear the Manager's recommendations about them as a result of the study he has initiated, and decide whether that job should be abolished and the salary appropriation transferred to the reserve for salary increases. The Manager should also make recommendations as to jobs now filled which could be abolished and the occupant transferred to another position now vacant.

"9. To instruct the manager to provide the Council with a list of all projects, in all departments, planned for 1953, including those already completed, those under way, those under contract, and those being planned. This should include all projects of \$3000 and more, with estimated cost of each project and whether it is to be financed by bond or general or utility revenue."

After discussion, the Council decided to meet the early part of next week and go over the matter, and the City Manager stated he could have the information ready, by the early part of the week. Councilman Thompson was interested in knowing where the money was coming from before expending it. Councilman Pearson did not believe the money could come from squeezing the budget, as it

had not been found that way in the past, and he did not favor taking money on hand now for a certain purpose when that same amount of money would not be available in 1954, referring to the sale of the housing units. The Mayor called a special meeting for further consideration of the matter for 9:30 A.M., Wednesday, June 23<sup>rd</sup>.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there is a certain street within the City of Austin known as Wild Street which street is shown upon certain maps of the City of Austin, Travis County, Texas; and

WHEREAS, the portion of Wild Street which extends from Houston Street northward to Koanig Lane is a continuation of Sunshine Drive; and

WHEREAS, much confusion is caused the general public by having two different names for the same continuous street; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin to take steps at this time to avoid further confusion as a result of conflicting street names; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Wild Street as referred to above be and the same is hereby changed to Sunshine Drive.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway, and uses incidental thereto; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purpose to the following described

tract of land:

All of Lot 3, Block 2, of the Spence Addition a subdivision of Outlot 43, Division "O", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Spence Addition being of record in Book 2, page 247, Plat Records of Travis County, Texas, which Lot 3 was conveyed to William J. Blackstone, and wife, Helen Gage Blackstone, by warranty deed dated January 29, 1951, of record in Volume 1143, page 547, Deed Records of Travis County, Texas.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found that public necessity required the maintenance of adequate building lines and set back requirements on such street, highway and freeway; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway, building line and setback purposes; and,

WHEREAS, the City of Austin had negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title for said purpose to the following described tract of land:

All of Lot 5, Block 4, of the Elm Grove Addition, a subdivision of Outlots 54 and 55, Division "O", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government outlots on file in the General Land Office of the State of Texas, a map or plat of said Elm Grove Addition being of record in Book 2, page 241, Plat Records of Travis County, Texas, which Lot 5 was conveyed to Mario

Cantu, Sr. and wife, Frances H. Cantu, by warranty deed dated November 26, 1951, of record in Volume 1210, page 11, Deed Records of Travis County, Texas.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a deed on behalf of the City of Austin conveying to Lydia Littman, a feme sole, the following described tract of land:

230.17 square feet of land same being out of and a part of Lot 5, Block M, in Ridgetop, W. T. Caswell's Addition to the City of Austin, Travis County, Texas, according to a map or plat of said addition of record in Book 2, Page 200, of the Plat Records of Travis County, Texas which was conveyed to the City of Austin by warranty deed dated August 15, 1947 of record in Book 826, Page 415, Deed Records of Travis County, Texas, said 230.17 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the intersection of the north line of East 51st Street and the east line of the Interregional Highway;

THENCE with the east line of said Highway N. 30° 15'E. 139.92 feet to an iron stake for the northwest corner of the herein described tract;

THENCE S. 60° 17'E. 1.03 feet to a point;

THENCE S. 29° 43' W. 139.92 feet to a point in the north line of East 51st Street;

THENCE with the north line of East 51st Street N. 60° 17'W. 2.26 feet to the place of beginning.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in

streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in JUSTIN LANE, from a point 665 feet west of Yates Avenue westerly 651 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said JUSTIN LANE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in JUANITA STREET, from a point 21 feet west of South 5th Street westerly 64 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said JUANITA STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in PORTER STREET, from a point 331 feet west of Vargas Road westerly 225 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PORTER STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in SHOAL CREEK BOULEVARD, from a point 55 feet south of West 46th Street southerly 667 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SHOAL CREEK BOULEVARD.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in WEST 45TH STREET, from a point 23 feet east of Shoal Creek Boulevard westerly 213 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST 45TH STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall



apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that some citizens had very graciously given some property for street purposes, beginning at South Congress and running to the Travis Heights School--Oltorf Street. He stated Councilmen White and Pearson had done a lot of work on this, and the members of the South Austin Civic Club had been helpful. He thanked the owners for donating this property, which would eventually develop into a thoroughfare across South Austin from South Lamar Blvd. to the Interregional Highway. The ones giving the property were MR. and MRS. D. M. BRYANT; MR. and MRS. RALPH KLUNKERT; MRS. KATHERINE PARR HAMILTON and MR. JUNG; MR. HERMAN E. BECKER, MR. THEODORE E. BECKER, MRS. HERMINE WILDE, MRS. BERTHA HAENEL, and MR. and MRS. J. W. SCARBROUGH. The City Manager stated work on this would begin next week, and it was hoped to have this street opened by the opening of the school.

ODAS

The Mayor brought up the request of the TEXAS FINE ARTS ASSOCIATION for certain services of the City to restore their property. JUDGE JAMES W. McCLENDON was present and outlined what was requested: (1) that the City level off the dirt and cover the ramp and roadway with dirt; (2) to clean up the lake front of the Laguna Gloria property by removing the brush and undergrowth therefrom; to rebuild an adequate fence and to remit the fees for the use of the Coliseum for the Texas Fine Arts Festival. The City Manager outlined the agreement made with the Executive Committee through its subcommittee composed of MESSRS. MAX STARCKE, FRED MORESE, CHARLES GRANGER, J. M. ODOM, and MRS. BURFORD WELLER. He explained the group went down on the site and discussed this, and also the terms that would go into the agreement and all were in accord. The Committee was in agreement, and it was a matter of getting the agreement signed. Councilman Thompson inquired if the group that made the contract then signed the resolution. He inquired if the Executive Committee which normally is empowered to do business for an Association, (but in this particular case was not) made this agreement and everything was done on a gentleman's agreement, and the City spent its money, if perhaps there wasn't some responsibility on the part of the Texas Fine Arts Association. The Mayor inquired about the easement that the City held on the property. JUDGE McCLENDON read an instrument that he thought was the one referred to by the City Attorney. MRS. LIEBERMAN spoke as President of the Association, and asked that the City build a little fence and fix the land where the water will come up on the road and the grounds will build up so that the herons could come back there. She asked that

the rent on the Coliseum be remitted. Councilman Pearson asked if she meant future use of the Coliseum or rent for the Coliseum for this particular exhibit. The City Attorney stated the City was not liable for anything that has occurred in connection with this; under the Constitution the City is not authorized to make donations of any public funds for any individual, corporation, etc. He explained how the free use of the Coliseum could be given if the Council felt it was within its policy. Councilman Long felt that the rent should be cancelled off in payment of the damages the City caused by going in and disturbing the Texas Fine Arts Association's grounds. Discussion was held as to whether this was private or public property, and whether or not permitting the swampy condition created a mosquito breeding place. Councilman White felt that the rent on the Coliseum due by the Association should be cancelled off. JUDGE McCLENDON inquired about removing a drain pipe. The City Manager stated if this pipe were in the public street, it was necessary to leave it there. Councilman Long moved that the rent of the Coliseum in the amount of \$1,164.77 be remitted so as to clear the misunderstanding that now exists between the Texas Fine Arts Association and the City; and upon the condition that the Fire Arts Association give to the City a release of any damages that might have occurred to their property. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

It was understood the use of the Coliseum without charge was for this one time only and did not apply to any future use.

MR. LOUIS HIRSCH presented a petition asking that the ordinance prohibiting parking on West 34th Street for one block on either side of Lamar Boulevard from 7:00 to 9:00 A.M. and from 4:00 to 6:00 P.M. be rescinded. After discussion of this matter, the City Manager stated he would get a complete report on this -- the number of vehicles, the reaction of the people contacted, and all pertinent information by next week. The Mayor announced that this would be reported on next Thursday.

The City Manager submitted a proposal for leasing a small area on the north side of Robert E. Lee Road, 100' from Lamar Boulevard. The proposal was that the person wanted to put up a neat building and sell fish bait. He will pay \$50.00 a month on a month-to-month-lease. Councilman Thompson suggested that in time that whole area would be a park. Councilman Pearson wondered if this would start a precedent where there would be many requests for small buildings. Councilman Long wanted to look at this before taking any action. The Mayor stated action would be deferred until next week.

Councilman Long inquired if the Council had had time to study the redistricting plan. It was stated this would be done sometime before the first part of August.

Councilman Pearson stated he had a number of calls about the watermelon and cantalope stands at 19th and Lamar. The Mayor stated these people had been notified to move.

The Council received notice from the City Manager that the following requests for change of zoning had been referred to the Planning Commission:

REAL STONE	1810 Chicon Street	From "C" Commercial To "C-2" Commercial
LOUIS G. LOPEZ	902 Vargas Road	From "A" Residence To "C" Commercial
FRANK REEDER	8301-8342 Burnet Road & 8300-8340 Bowling Green Drive	From "A" Residence To "C" Commercial

On Councilman Pearson's motion, the Council unanimously voted to adjourn at 1:20 P.M., subject to the call of the Mayor.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk